

Notice of Allowability	Application No.	Applicant(s)	
	10/083,009	REESE, GILBERT R.	
	Examiner	Art Unit	
	John P. Trimmings	2133	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment of 1/10/2005.
2. ☒ The allowed claim(s) is/are 1,2,5-11,13-16,18-26,30-35, renumbered as 1-28.
3. ☒ The drawings filed on 1/10/2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

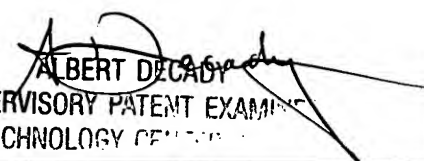
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|---|--|


ALBERT DECADY
 SUPERVISORY PATENT EXAMINER
 TECHNOLOGY CENTER

DETAILED ACTION

This Office Action is in response to the applicant's amendment dated 1/10/2005.

Claims 1, 2, 5-11, 14-16, 18-21 and 23-25 were amended.

Claims 3, 4, 12, 17 and 27-29 were cancelled.

Claims 30-35 were added as new.

Claims 1, 2, 5-11, 13-16, 18-26 and 30-35 are pending.

Response to Amendment

1. In view of the applicant's changes to the Specification and to the Drawings, the examiner withdraws all objections to the Drawings and Specification, and approves said changes.
2. In view of the applicant's amendments to Claims 10, 14-16 and 19, the examiner withdraws the rejection of Claims 13-16 and 19 under 35 USC 112 second paragraph.
3. In view of the applicant's amendments to Claims 1 and 10, the examiner withdraws the rejection of said claims under 35 USC 103(a). See below for reasons for allowance.

Allowable Subject Matter

4. Claims 1, 2, 5-11, 13-16, 18-26 and 30-35 are allowed. The following is a statement of reasons for the indication of allowable subject matter:

As per the independent Claims 1, 10, 30 and 33, the reference art of Organ et al., Southard et al. and Botham teach a system/method for configuring a test system

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comprising an interface for specifying frequencies of clocks, and timing characteristics of the test system instruments, and software for calculating values for establishing the frequencies. However, the prior arts of record taken alone, or in combination failed to teach, anticipate, suggest, or render obvious the claimed invention or the method steps of the application. Specifically, as per Claims 1, 10, 30 and 33, the prior arts failed to teach, anticipate, suggest, or render obvious the limitation introduced into these claims, namely:

As per Claim 1:

The prior art fails to teach error checking code for comparing the specified timing characteristics of the instruments with their capabilities.

As per Claim 10:

The prior art fails to teach comparing the specified timing characteristics of the instruments with their capabilities.

As per Claim 30:

The prior art fails to teach code for calculating the desired frequency of a clock in response to timing characteristics of the instruments.

As per Claim 33:

The prior art fails to teach a display of the calculated values of the dividers and prime factors of the dividers.

Consequently the dependent Claims 2, 5-9, 11, 13-16, 18-26, 31, 32, 34 and 35 are also allowed over the prior art. In total, Claims 1, 2, 5-11, 13-16, 18-26 and 30-35 are allowed, and are renumbered as Claims 1-28.

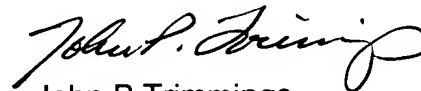
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John P. Trimmings whose telephone number is (571) 272-3830. The examiner can normally be reached on Monday through Thursday, 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John P Trimmings
Examiner
Art Unit 2133

jpt



ALBERT DECADY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Changes Approved 4/13/05 MR

Applicant : Reese
Serial No. : 10/083,009
Filed : February 26, 2002
Page : 13 of 16

Attorney's Docket No.: 1500-US

AMENDMENTS TO THE DRAWINGS:

The attached replacement sheets of drawings include changes to FIGS. 2 to 5 and replace the original sheets including FIGS 2 to 5.

In Figure 2, "a0 – a3" was changed to "A0 – A3".

In Figures 3 to 5, references 340, 342, 346 and 348 were removed.

Attachments following last page of this Amendment:

Replacement Sheet (4 pages)



Replacement Sheet

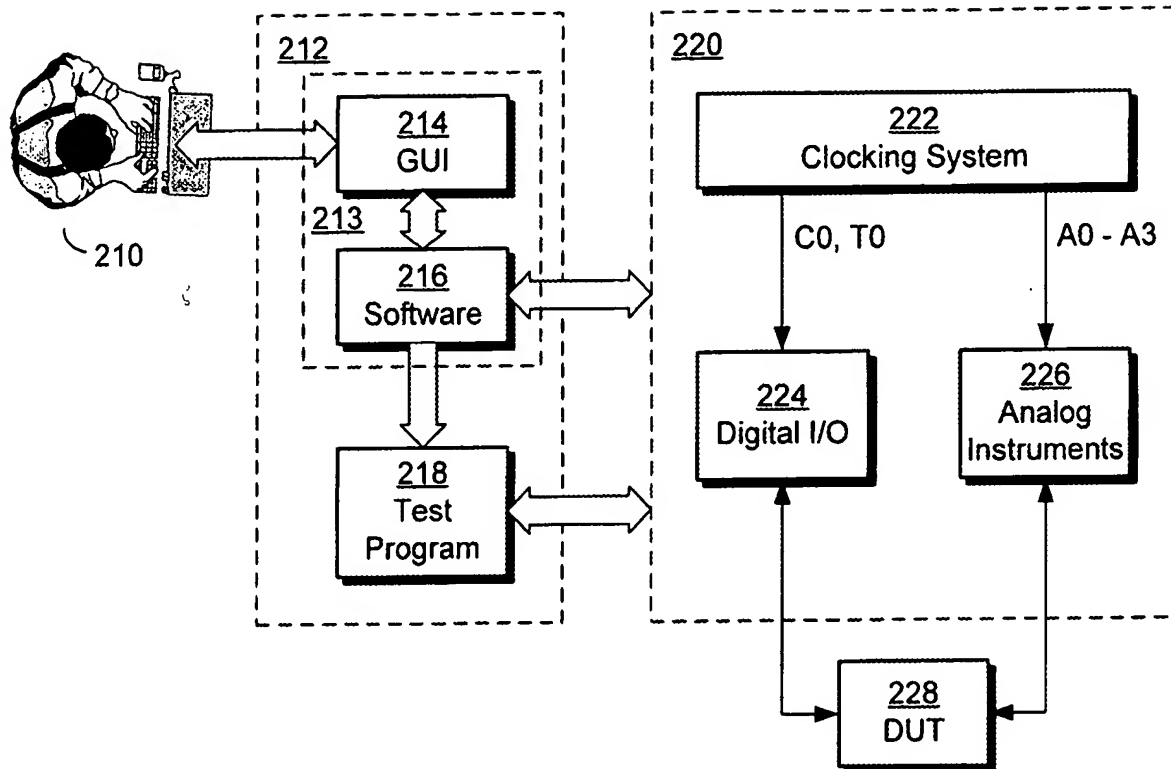


Fig. 2



Replacement Sheet

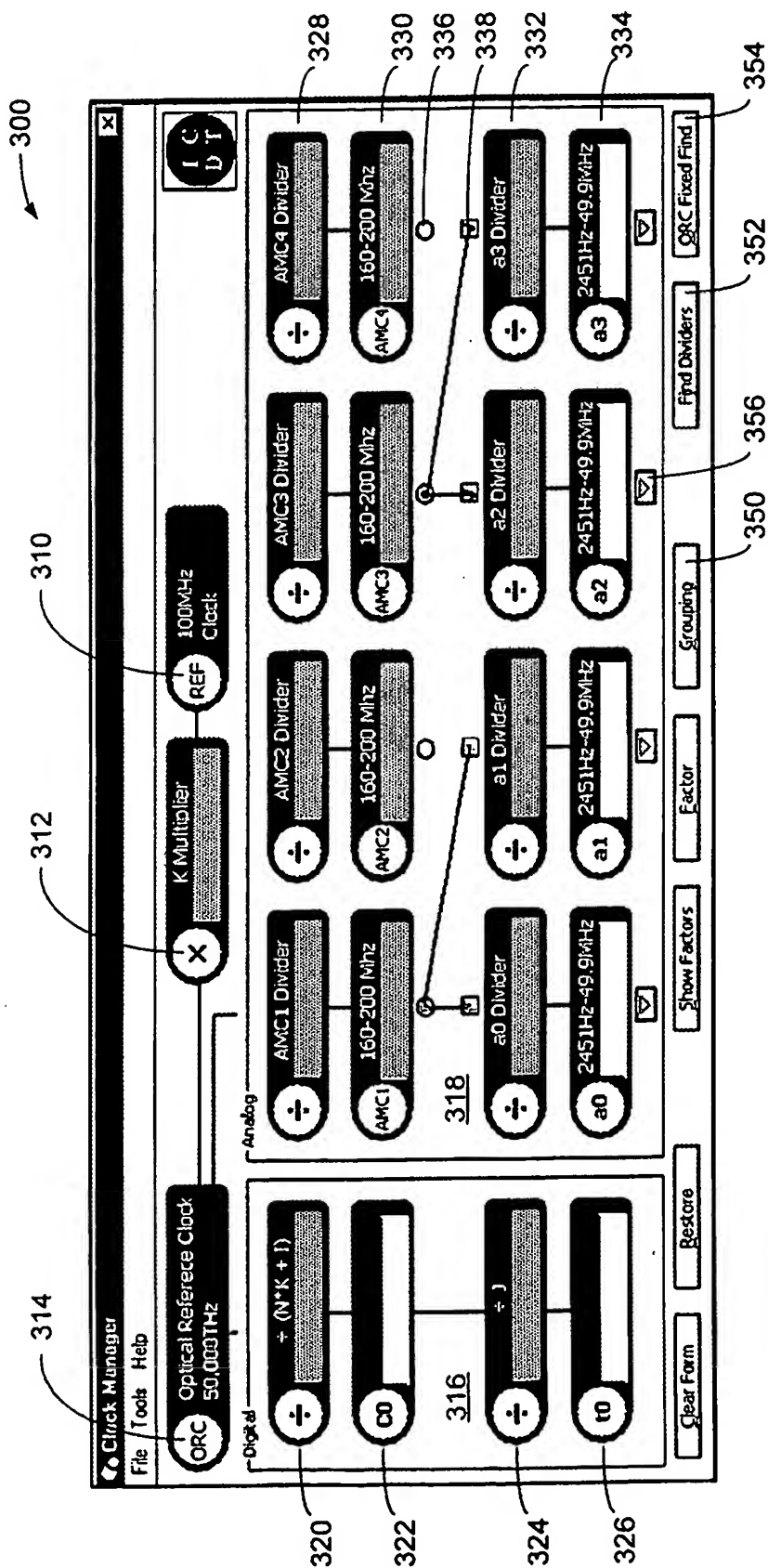
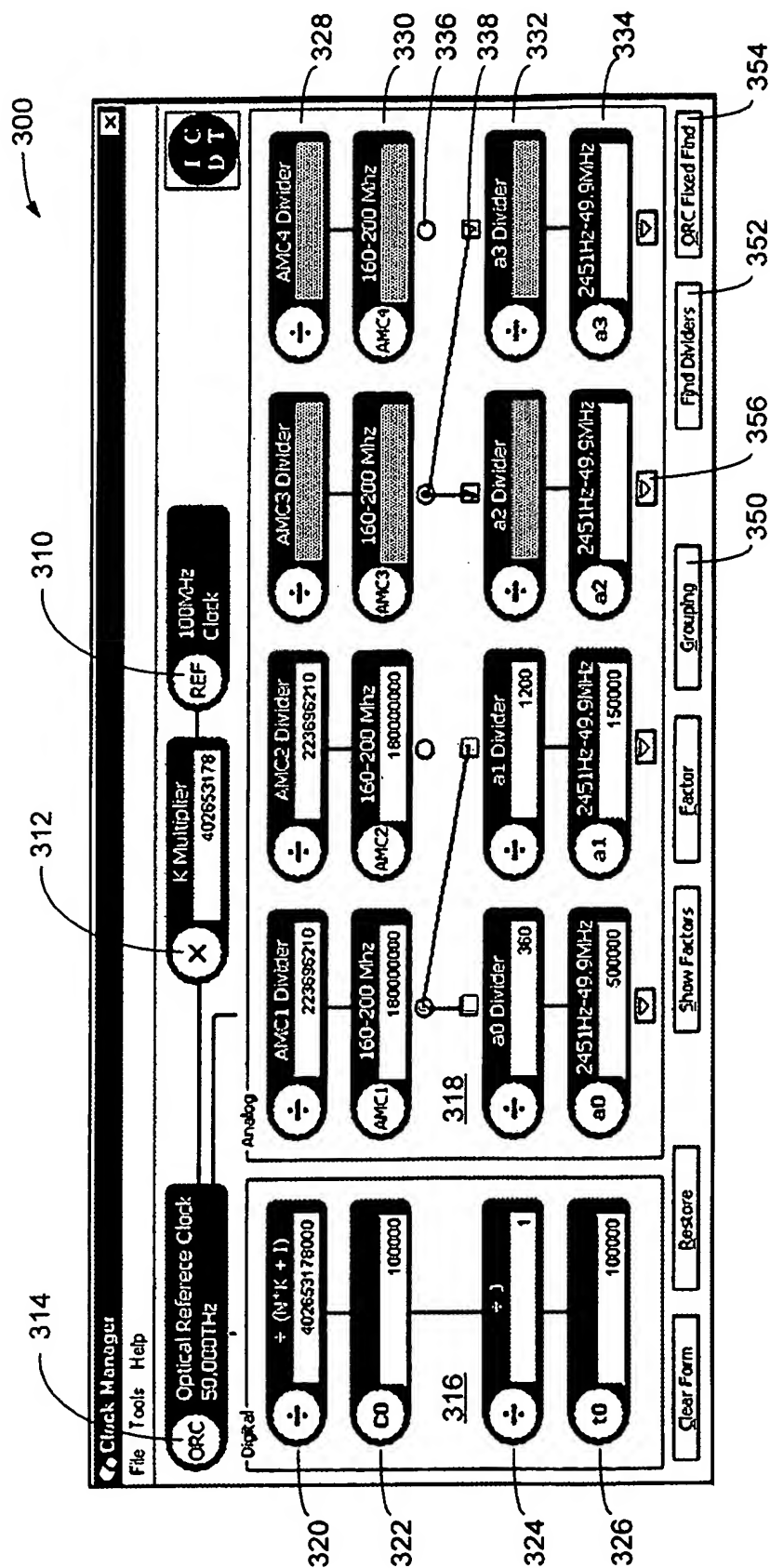


Fig. 3



A circular black and white stamp. The outer ring contains the text "OIP" at the top and "OFFICE" at the bottom. The center of the stamp contains the date "JAN 10 2005".

